

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff

vs.

RAID JAMIL

GHADA JAMIL

HUNTINGTON NATIONAL BANK

MICHIGAN DEPARTMENT OF TREASURY

JALAL JAMIL and

MASOUD JAMIL

Defendants

Case No.

COMPLAINT TO FORECLOSE ON LIENS

For its Complaint to Foreclose on Liens, the United States of America (“United States” or “Government”), alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction under *28 U.S.C. § 1345* because the United States is the Plaintiff, and under *28 U.S.C. § 1355* because proceedings for collection of restitution are equivalent to proceedings for the collection of fines.
2. The Court has jurisdiction over the parties pursuant to *28 U.S.C. § 3203*; nationwide service is authorized under *28 U.S.C. § 3202*.

3. Venue is proper under 28 U.S.C. § 1395(a) because the underlying debt owed to the United States arose from a restitution order issued in this district in *Case No. 15-cr-20362*, and under 28 U.S.C. § 1395(b) because the subject property is in this district.

PARTIES

4. Defendant Raid Jamil (“Jamil”) is a resident of Oakland County, Michigan, and resides at 5539 Hampshire, West Bloomfield, MI 48322 (the “Real Property”).
5. Defendant Ghada Jamil is Jamil’s wife, and on information and belief, holds a joint interest in the Real Property.
6. On information and belief, Defendant Huntington National Bank (“Huntington”) holds a note that may be secured by the Real Property, and may be served via its resident agent, the Corporation Company, at 30600 Telegraph Rd., Bingham Farms, MI 48025.
7. On information and belief, Defendant Michigan Department of Treasury holds tax liens that may be secured by the Real Property, and may be served at 430 W Allegan St, Lansing, MI 48922.
8. On information and belief, Defendant Jalal Jamil holds a note that may be secured by the Real Property, and may be served through his attorney, Joseph Falcone, Esq. at 3000 Town Ctr Ste 2370, Southfield, MI 48075-1192.
9. On information and belief, Defendant Masoud Jamil holds a note that may be

secured by the Real Property, and may be served through his attorney, Joseph Falcone, Esq. at 3000 Town Ctr Ste 2370, Southfield, MI 48075-1192.

10. On information and belief, the Internal Revenue Service holds liens that may be secured by the Real Property.

FACTUAL BACKGROUND

11. This is an action to foreclose on real property subject to a criminal judgment lien.

12. Jamil and Ghada Jamil own the Real Property, which is situated in the Township of West Bloomfield, County of Oakland and State of Michigan to-wit:

Lot 189, Wyndham Pointe Subdivision No. 4, as recorded in Liber 277, Pages 39 through 53, inclusive, Oakland County Records.

Commonly known as: 5539 Hampshire, West Bloomfield, MI 48322.

Tax Parcel No. 18-30-228-035

13. In the Matter of *United States v. Joseph Shayota et. al.* (Case No. 15-cr-00264, N.D.Cal.), Jamil plead guilty to Conspiracy to Introduce Misbranded Food into Interstate Commerce under *18 U.S.C. § 371* on or around September 13, 2016.

14. On March 17, 2017, the United States District Court for the Northern District of California sentenced Jamil to 24 months of imprisonment, and to pay \$268,936.00 in restitution and a \$100.00 mandatory special assessment. *Exhibit A-March 17, 2017 Judgment.*

15. In the Matter of *United States v. Raid Jamil* (Case No. 16-cr-20623, E.D.Mich.), Jamil plead guilty to Subscribing a False Income Tax Return under *18 U.S.C. § 7206(1)* on or around November 22, 2016.
16. On March 31, 2017, the United States District Court for the Eastern District of Michigan sentenced Jamil to 6 months of imprisonment, and ordered him to pay \$35,875.00 in restitution, and a \$100.00 mandatory special assessment. *Exhibit B- March 31, 2017 Judgment.*
17. On May 16, 2017, the United States perfected its lien in the amount of \$35,975.00 with the Oakland County Register of Deeds at Liber 50670, Page 751. A true and accurate copy of the notice of lien is attached hereto as *Exhibit C- May 16, 2017 Notice of Lien.*
18. On June 28, 2017, the United States perfected its lien in the amount of \$269,036.00 with the Oakland County Register of Deeds at Liber 50815, Page 389. A true and accurate copy of the notice of lien is attached hereto as *Exhibit D- June 28, 2017 Notice of Lien.*
19. Jurisdiction over the *Shayota* judgment was transferred to this District on December 19, 2019. See *Exhibit E-December 11, 2019 Transfer of Jurisdiction.*
20. As of the date of the filing of this complaint, no amount has been paid towards these liens, and they are still in effect in the amounts of \$35,975.00 and \$269,036.00, respectively.

COUNT I-FORECLOSURE OF LIEN UNDER 28 U.S.C. §§ 2001-2003

21. The allegations of paragraphs one (1) through twenty (20) are incorporated by reference.
22. Pursuant to *18 U.S.C. § 3613(c)*, upon the pronouncement of this sentence, liens arose against all property rights belonging to Jamil.
23. As of the date of the filing of this complaint, approximately \$300,136.00 combined remains outstanding on Jamil's criminal debts.
24. The United States has valid liens recorded against Jamil in Oakland County, Michigan.
25. The United States' liens are perfected as to all real and personal property owned by Jamil in Oakland County, where the Property is located.
26. Pursuant to *28 U.S.C. §§ 2001-2003*, the United States seeks to foreclose its liens and sell the Property, free and clear of all liens and encumbrances so that the net proceeds can be applied to the debt.
27. On information and belief, the Property may be subject to liens held by Huntington National Bank and the Michigan Department of Treasury that have priority over the United States' liens, as well as allegedly valid liens held by Jalal Jamil, Masoud Jamil, and the Internal Revenue Service that are subordinate to the United States' liens.

PRAYER FOR RELIEF

WHEREFORE, the United States requests this court to grant judgment in favor of the United States, and:

1. Order the foreclosure of the federal liens and judgments and order that Jamil's interest in the Property be sold free and clear of all liens, claims, and encumbrances, and in accordance with the law and practices of this Court;
2. Order that the proceeds of sale of the Property be distributed in the following order:
 - a) costs and expenses incurred in connection with the sale; b) any valid taxes or assessments on the Property; c) any prior recorded liens; d) interest of Ghada Jamil as determined by the Court; (e) the remainder to the United States in partial satisfaction of Jamil's outstanding debt in this case; and (f) in the unlikely situation where Jamil's restitution debt is paid in full, the remainder to subordinate valid lienholders; and
3. Grant to the United States any other relief circumstances may require, as the Court deems just and proper.

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Respectfully submitted,

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